

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 4:05CR3137
)
vs.) **FINAL ORDER OF**
) **FORFEITURE**
)
NICHOLAS BONAHOOM,)
)
Defendant.)

NOW ON THIS 13th day of July, 2006, this matter comes on before the Court upon the United States' Motion for Final Order of Forfeiture and Memorandum Brief. The Court reviews the record in this case and, being duly advised in the premises, find as follows:

1. On April 25, 2006, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 18, United States Code, Sections 2252(a)(4)(B) and 2253, based upon the Defendant's plea of guilty to Counts I and II of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in the following properties:

(a) Gateway CPU, serial number 0024344054, including all hard drives and disk drives contained in the computer processing unit.

(b) Misc. CD-R disks and floppy disks found at the Defendant's residence in Beatrice, Nebraska.

was forfeited to the United States.

2. On May 18, 25 and June 1, 2006, the United States published in a newspaper of general circulation notice of this forfeiture and of the intent of the United States to dispose of the properties in accordance with the law, and further notifying all third parties of their right to petition the Court within the stated period of time for a hearing to adjudicate the validity of their alleged legal

interest(s) in said properties. An Affidavit of Publication was filed herein on June 30, 2006(Filing No. 29).

3. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

4. On June 30, 2006, the Plaintiff filed a Motion for Final Order of Forfeiture (Filing No. 31).

5. On July 7, 2006, at sentencing, the government agreed to return the miscellaneous CD-R disks and floppy disks found at the Defendant's residence in Beatrice, Nebraska, to the Defendant as those items did not contain any illegal materials for which the Defendant pled guilty.

6. The Plaintiff's Amended Motion for Final Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Plaintiff's Amended Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the subject property, i.e., a Gateway CPU, serial number 0024344054, including all hard drives and disk drives contained in the computer processing unit, held by any person or entity, is hereby forever barred and foreclosed.

C. The subject property, i.e., a Gateway CPU, serial number 0024344054, including all hard drives and disk drives contained in the computer processing unit, be, and the same hereby is, forfeited to the United States of America .

D. The United States Marshal for the District of Nebraska is directed to dispose of said property in accordance with law.

E. The United States Marshal for the District of Nebraska is direct to return the miscellaneous CD-R disks and floppy disks found at the Defendant's residence in Beatrice, Nebraska, to the

Defendant through his attorney, Mr. Mark A. Weber, at 11240 Davenport Street, Omaha, Nebraska 68154.

July 13, 2006.

BY THE COURT:

s/ RICHARD G. KOPF
United States District Judge